

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

James Edward Rose, Jr., #1432,)	Civil Action No.: 2:21-cv-002909-JMC
)	
Plaintiff,)	
)	ORDER
v.)	
)	
State of South Carolina, Berkeley County)	
Sheriff's Office, Hill-Finklea Detention)	
Center, R. Markley Dennis, Jr., Deadra L.)	
Jefferson, Wilton McNeely, Brandon D.)	
Latullip, T. Dodd, Berkeley County Jail)	
Keepers, Ronnie J. Russel, Paula Fechem)	
McElveque, B. Watson, Henry's Towing,)	
Henry Legette, Bad Boyz Bail Bonds,)	
Marie Fuller, Bo Wilson, Randy Demory,)	
Anthony Phyll, Kris Jacumin, Sergeant)	
Dozer, Officer Staley, K. Shuler, Debra K.)	
Littlejohn, Judge Prioleau, Officer A.)	
Lizzono, Gary Wasielewski,)	
)	
Defendants.)	

This is a civil action filed by a pretrial detainee. This case is before the court due to Plaintiff's failure to comply with either the Magistrate Judge's Proper Form Order (ECF No. 9) or the Magistrate Judge's order to submit service documents (ECF No. 24).

The orders were sent to Plaintiff's provided address and have not been returned as undeliverable to the court, thus it is presumed that Plaintiff received the Magistrate Judge's orders but has neglected to comply within the time permitted. A review of the record indicates that the Magistrate Judge specifically informed Plaintiff that if he failed to comply with the Magistrate Judge's instructions, this case would be subject to dismissal.

Plaintiff's lack of response to the Order indicates an intent to not prosecute this case and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b) (district courts may dismiss an action if

a plaintiff fails to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989) (affirming district court's dismissal of action for failure to comply with a court order); *Robertson v. Anderson Mill Elementary Sch.*, 989 F.3d 282, 291 (4th Cir. 2021) (explaining that district courts may dismiss inadequate complaints *sua sponte* as long as the plaintiff has been provided notice and opportunity to amend the complaint).

Accordingly, the court **DISMISSES** this case without prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

February 10, 2022
Columbia, South Carolina